

### DETAILED ACTION

This is in response to amendment to application no. 10/594,241 filed on March 30, 2010.

Claims 1-27 are presented for examination.

### *Election/Restrictions*

1. Claims 1-27 are allowable. The restriction requirement between Group 1 and Group 2, as set forth in the Office action mailed on August 19, 2009, has been reconsidered in view of the allowability of claims to the elected invention pursuant to MPEP § 821.04(a). **The restriction requirement is hereby withdrawn as to any claim that requires all the limitations of an allowable claim.** Claims 5-11, directed to an invention no longer withdrawn from consideration because the claim(s) requires all the limitations of an allowable claim.

2. In view of the above noted withdrawal of the restriction requirement, applicant is advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application.

Once a restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

### EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Charles Andres on May 18, 2010.

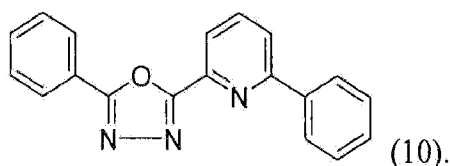
The application has been amended as follows:

Replace **claim 5** with the following:

An organic electroluminescence device comprising a pair of electrodes, and at least one organic layer interposed therebetween, wherein the compound of claim 1 is contained as a structural material of the at least one organic layer.

Replace **claim 20** with the following:

The compound of claim 4, that has the following formula (10):

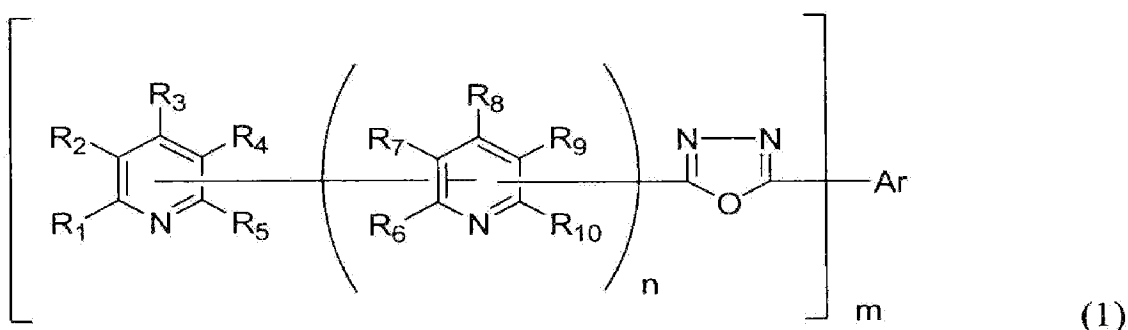


### *Allowable Subject Matter*

4. Claims 1-27 are allowed.

5. The following is an examiner's statement of reasons for allowance: The prior arts of record do not disclose or suggest at least the limitations of "a compound having an oxadiazole ring structure having a substituted pyridyl group connected thereto, represented by the following general formula

(1):



wherein m is an integer of from 2 to 3" as recited in claims 1 and 5, "a compound wherein n in the general formula (1) is 1" as recited in claim 2, and "a compound wherein n in the general formula (1) is 2" as recited in claim 3.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY HO whose telephone number is (571)270-1432. The examiner can normally be reached on M-F: 1:30PM-10:00PM EST.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Parker can be reached on 571-272-2298. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/A. H./  
Examiner, Art Unit 2815

/Eugene Lee/  
Primary Examiner, Art Unit 2815